



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
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In re application of:  
William F. McKay      **DECISION ON PETITION**  
Serial No.: 09/923,117  
Filed: August 6, 2001  
For: **OSTEOGENIC PASTE COMPOSITIONS  
AND USES THEREOF**

This is a decision on the faxed petition received on December 2, 2002, to withdraw the holding of abandonment in the above-identified application.

The above-identified application became abandoned for failure to reply within the meaning of 37 C.F.R. 1.113 in timely manner to the Notice to File Missing Parts of Application mailed September 13, 2001. Which set a shortened statutory period for reply of two (2) months. Accordingly, this application became abandoned November 14, 2001. The Notice of Abandonment was mailed on November 18, 2002.

On December 2, 2002, the office received a communication from attorney of record. Enclosed was an acknowledgment that the attorney never received the Notice to File Missing Parts mailed September 13, 2001.

The evidence submitted is sufficient to establish that the petitioners never received the Notice to File Missing Parts mailed September 13, 2001.

The petition is hereby GRANTED.

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A New Notice to File Missing Parts is enclosed with this Decision setting forth a new response period of two months from the date of the notice.

The office regrets any inconvenience this may have caused the client.

Telephone inquiries concerning this matter may be directed to Doshie E. Day at (703) 308-3640.

A handwritten signature in cursive script, appearing to read "Doshie E. Day".

Doshie E. Day  
Program Management Assistant  
Office Initial Patent Examination